

PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD

MONDAY, MARCH 25, 2002

3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II

The Historic Conservation Board met at 3:00P.M. in the J. Martin Griesel Room, Centennial Plaza II, with members Bloomfield, Borys, Raser, Sullebarger, Senhauser, Spraul-Schmidt, and Wallace present. Members absent: Clement and Kreider.

MINUTES

The minutes of the Monday, February 25, 2002 meeting were approved as corrected (motion by Senhauser, second by Borys).

CERTIFICATE OF APPROPRIATENESS, 4147 HAMILTON AVENUE, NORTHSIDE NBD HISTORIC DISTRICT

Staff member Adrienne Cowden presented the Staff report for a Certificate of Appropriateness to rehabilitate the KFC/Taco Bell restaurant at 4147 Hamilton Avenue. The current owner, Food, Folks & Fun, Inc., proposes a project which involves the construction of a new eifis façade bay on the north and south elevations, the installation of new awnings and creation of a (non-functional) doorway on the main (east) façade of the building. The final design was developed after input from a committee of the Board formed to review the proposed alterations.

Ms. Cowden stated that the applicant had presented the design to the Northside Community Council earlier in the month. A March 20, 2002 letter from Tim Jeckering, president of the Northside Community Council, indicated the Council was in support of the project; however, the Council had concerns about the three dumpsters, landscaping, and maintenance of a wrought-iron fence on the property. The Council also objected to the vertical striping on the proposed awnings but was not opposed to the use of separate red and purple awnings.

Staff recommended approval of the proposed changes as meeting the historic district guidelines and satisfying the Community Council's concerns. However, Staff recommended that the central window on the street façade be maintained and not converted to a nonfunctional doorway and a continuous awning be installed.

Speaking on behalf of the Board committee, Ms. Borys stated that the present design was an improvement on that originally submitted and reflected the discussions between the committee and the applicant. She said that the committee had been concerned that the original design included a dominant tower element that broke the continuity of the façade. The committee had also been concerned about the new Taco Bell bays and had suggested that they be treated more as signage than architectural elements, or that a freestanding sign be substituted. She added that the awning colors were not discussed.

Mr. Raser interjected that the Staff's recommendation did not address the Community Council's concerns preferring a solid purple awning color and the enclosing of the third dumpster. Mr. Forwood indicated that the site plan incorporates the changes suggested by the Council, but the solid color awnings had not been updated.

There was additional discussion regarding the color and layout of the awnings. Mr. Chrzanowski, owner of Food, Folks & Fun, Inc., distributed photographs of similar awnings in other locations. In response to Mr. Bloomfield's question, Mr. Chrzanowski indicated that the proposed two colors (red and purple) were important since they there were two corporate identities and separate franchises involved. He also stated that he has not gone back to the corporations with any proposed changes because he wanted to first have the approvals of the Community Council and Historic Conservation Board. Mr. Bloomfield suggested that the awnings be completely eliminated from the new Taco Bell bays.

BOARD ACTION

The Board voted unanimously (motion by Bloomfield, second by Borys) to approve a Certificate of Appropriateness for the proposed exterior renovation of the KFC/Taco Bell restaurant at 4147 Hamilton Avenue with the following conditions:

1. The proposed non-functional doorway on the east façade be removed from the application and the window maintained;
2. A continuous awning be installed above the openings on the street elevation; and
3. The awnings be eliminated from the side Taco Bell bays.

CERTIFICATE OF APPROPRIATENESS, 830 LINCOLN AVENUE, LINCOLN-MELROSE HISTORIC DISTRICT

Staff member Caroline Kellam presented the staff report for a Certificate of Appropriateness for the demolition of this vacant single-family house and detached garage. She indicated that the City plans to construct two, two-family houses with rear-loaded garages, but that architectural plans have not yet been prepared. Ms. Kellam said the building was previously used as a church; however, the single-family floor plan is still intact. The site also features a detached two-car garage with access off Melrose Avenue. The Queen Anne style building and the detached garage contribute to the Lincoln-Melrose Historic District.

Ms. Kellam stated that the City of Cincinnati purchased the property in 1999 and initially sent out a Request for Proposals (RFP) for the property to be rehabilitated as a single, two or three-family residence with owner occupancy. When the successful applicant was unable to secure financing, the City issued a second RFP that also proved unsuccessful. The proposals eventually failed for various reasons including inability to get financing, the per-unit subsidy was too costly, or lack of development experience.

The Department of Community Development has not yet sent out an RFP for the construction of the new residence. Ms. Kellam said that it is likely that any new construction will be assisted with federal funds; if so, the Board will review the new work at a later date both for a COA and under Section 106.

A pre-hearing for the current proposal was held on March 19, 2002; the one property owner that attended expressing his desire to see low-density residential development on that site. In response to Mr. Raser, Ms. Kellam indicated that the Walnut Hills Community Council had been notified, but had not commented.

Fred Orth, Martha Hilliard and Rochelle Thompson from DCD were present to answer any questions.

In response to Mr. Raser, Ms. Kellam said that the City's structural engineer, Steven Schaefer, had provided estimates for the cost of stabilization and rehabilitation, but did not provide an analysis of rental revenues that could possibly be generated. Rochelle Thompson stating that DCD had used National Development Council's guidelines in determining the economic feasibility of rehabbing the property. She indicated that the funds allocated to this project could only be used for homeownership, not rental rehab.

Mr. Raser stated that he was one of the original three developers who submitted proposals, so recused himself from voting. Likewise, Ms. Wallace recused herself, since her employer, Walnut Hills Redevelopment had submitted a proposal in the second round.

Members of the Board expressed concern whether the criteria were met under which one could establish that no reasonable rate of return was possible for rehabilitation of the existing building. Ms. Thompson responded that both RFPs allowed for multi-unit uses; the second did not require owner-occupancy. She indicated that of primary concern was the compatibility with the one to three-unit homes surrounding the property.

Mr. Raser emphasized that this Queen Anne residence is an important building on a primary corner and that a higher public investment may be justified. He questioned the amount of funding that could be allocated for new structures and stated that restoration would be a better use of public money. Ms. Thompson indicated that City funds would go to site preparation, not to hard construction costs.

BOARD ACTION

The Board voted to approve the Staff recommendation (motion by Bloomfield, second by Sullebarger, Raser and Wallace recused) to:

1. Find that the building at 830 Lincoln Avenue contributes to the character of the Lincoln-Melrose Historic District.
2. Find that there is no reasonable economic return to be gained from the use of all or part of the building which would conform to the guidelines and the strict application of the guidelines would

- (a) Deny the owner a reasonable rate of return on the real property; and
 - (b) Amount to taking of the property of the owner without just compensation.
3. Approve the demolition of 830 Lincoln Avenue and the detached garage with the condition that no demolition permit will be issued until the HCB has approved final drawings for the new construction on the site and the OSHPO issued any necessary approvals required under Section 106.

**CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCE, 628
SYCAMORE STREET, DOWNTOWN DEVELOPMENT DISTRICT**

Staff member Adrienne Cowden presented the staff report on this request for a Certificate of Appropriateness and DD variance for the Krippendorf-Dittman Building located at 628 Sycamore Street. It is listed on the National Register of Historic Places as part of the Samuel Hannaford Thematic nomination and is also a locally designated landmark in the City of Cincinnati.

Al Neyer, Inc. is currently rehabilitating the building, and when complete, it will include approximately 12,000 square feet of commercial space and approximately 100 residential units. As part of the project, Al Neyer, Inc. is requesting a COA and the necessary zoning variance for piers and a trellis at the main entrance, a surface parking lot, and landscaping.

The conservation guidelines for the Krippendorf-Dittman building are very general - primarily addressing additions. The proposed entryway is physically attached to the building and can be considered an addition. Staff feels that the new design element is compatible with the building and the smooth finish cast stone facing reflects the building's stone decorative elements.

While the proposed plan reduces the number of parking spaces in the lot, provides green space, and includes public spaces - a water feature including a sculpture at the northwest edge of the lot and a flagpole with metal seating units to be installed near the main entrance, it lacks a fence and therefore does not comply with Section 1443-8(h) of the Zoning Code. The applicant is requesting a variance from the Board waiving the fencing requirement. Recognizing that the plan provides for a more open introduction to the building which is on a highly visible corner, Staff feels that the type of fencing required by zoning is not a necessary design solution for this site and that a low planted berm or a short fence without a hard edge would be more appropriate along the property line. In addition, Staff feels that pedestrian access to the main entrance could be better defined.

Rick Kimbler and Rob Thrun from Al Neyer, Inc. responded to a question by Mr. Bloomfield describing the lighting, which will be reflected out from the recessed building as well as the addition of ground cover lighting at the trees and in the trellis. In response to Board members' discussion regarding pedestrian access, Kimbler and Thrun stated that the residents will be parking in the 7th Street garage and will walk across the plaza. The first floor commercial tenants and guests of building residents will use the lot. Mr. Kimbler stated that he expects the lot to be largely empty after

6:00 pm and on weekends so they concluded that maximum amount of green space is important. Mr. Thrun indicated that they intend to use radial lines reinforced with footpaths to further define the pedestrian entrance utilizing concrete with a broom finish that changes direction. They also suggested that they would plant a low perennial hedge at the perimeter of the site. Ms. Sullebarger and Mr. Raser expressed additional concerns regarding the pedestrian access from Sycamore. Mr. Kimbler emphasized that they intend the use ground mounted light fixtures that will add additional lighting.

BOARD ACTION

The Board voted (motion by Spraul-Schmidt, second by Raser) to:

1. Find that the proposed entryway piers and trellis meet the conservation guidelines for the Krippendorf-Dittman Building and approve a Certificate of Appropriateness;
2. Grant a Certificate of Appropriateness and Zoning Variance from the strict application of the Downtown Development Regulations as set forth in Section 1433-409(b) to permit the proposed landscaping and parking lot, accepting the revised plan as presented at today's meeting; and
3. Finding that such relief from the literal implication of the Zoning Code:
 - (a) Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district; and
 - (b) Will not be materially detrimental to the public health, safety, and welfare or is injurious to the property in the district or vicinity where the property is located.

CERTIFICATE OF APPROPRIATENESS & SECTION 106 REVIEW FOR 8-36 WEST MCMICKEN AVENUE, OVER-THE-RHINE (NORTH) HISTORIC DISTRICT

Staff member Caroline Kellam presented this proposed project for the rehabilitation of four vacant industrial buildings for mixed commercial and residential use. The project also calls for the demolition of 14 W. McMicken Avenue and the development of a surface parking to serve the project. Ms. Kellam indicated that the Board would be reviewing the project for both a Certificate of Appropriateness and under Section 106 (for the use of federal funds).

Ms. Kellam noted that on January 7, 2002, the Historic Conservation Board denied a COA for the demolition of 14 W. McMicken and requested additional information on the entire project. On January 28, 2002, the Board conducted a preliminary review of the whole project based on more complete plans and elevations of work proposed for the buildings to be rehabilitated. At that meeting the Board expressed concern for several proposed treatments including new/revised window cuts, replacement windows, street fencing as well as the demolition of 14 W. McMicken. The Board urged the applicant to engage a design professional to assist in the evaluation of design alternatives.

Recently a committee of the Board met with the applicant to discuss with him acceptable treatments of the issues raised by the HCB at the preliminary design review. Speaking on behalf of the committee, Mr. Bloomfield indicated that most of the proposed work had been revised to better conform to the historic district guidelines, to better preserve historic building fabric and to reflect in detail and materials the industrial character of the structures. It was generally agreed that although there were still many unresolved details, the level of documentation had progressed significantly from the initial presentation. Mr. Bloomfield repeated a strong recommendation that an architect be brought on board to help with the whole project and address some troublesome details.

In addition, Mr. Reinhaus has provided professionally prepared cost estimates for mothballing, whiteboxing or renovating 14 W. McMicken, as well as the applicant's estimate of the cost of demolition.

Owner/Applicant/Developer Walter Reinhaus was present to answer questions. Mr. Reinhaus indicated that he has interviewed several potential architects, but will not hire one until he has received approval on his federal funding. Urban Conservator Forwood indicated that the Board's recommendation to the OSHPO will allow the environmental review to proceed, but that the State might require a higher level of documentation to complete its review. He indicated that Mr. Reinhaus will also need to enter into a memorandum of agreement with the State for the demolition of 14 W. McMicken.

Mr. Reinhaus stressed that he is incurring large costs just maintaining the building without rental income. He indicated that he has appealed the Board's decision to deny a COA for the demolition of 14 W. McMicken and does not want to jeopardize his rights to pursue that appeal. Mr. Reinhaus added that the demolition would generate income to keep his project going. Mr. Forwood stated that Mr. Reinhaus' appeal could go forward; however, if Council reversed the Board's recommendation, and the building was demolished, the nearly \$400,000 in federal money could be jeopardized. Mr. Bloomfield stated that it is important that City Council understand this if/when it hears the appeal.

BOARD ACTION

The Board voted unanimously (motion by Borys, second by Sullebarger) to:

1. Find that the demolition of 14 West McMicken Avenue within the project boundaries will have an adverse effect on the Over-the-Rhine National Register Historic District.
2. Find that the demolition of 14 West McMicken would not normally be acceptable as a stand-alone building, but is an acceptable loss in order to insure the rehabilitation of the remaining buildings.
3. Direct staff to prepare the necessary documentation for a Determination of Adverse Effect report supporting the demolition citing the rehabilitation of the remaining historic buildings and photographic, written and possible archaeological documentation as adequate mitigation of the adverse effect.

4. Approve a Certificate of Appropriateness for the demolition of 14 West McMicken Avenue under the following conditions:
 - (a) Final approval has been granted at the federal level for the completion of the Section 106 Review process.
 - (b) Final plans for the entire rehabilitation project (8-36 West McMicken Avenue) have been submitted, reviewed and approved by Buildings and Inspections and the Historic Conservation Board or the Urban Conservator prior to issuing a Certificate of Appropriateness and a demolition or building permit.

ADJOURNMENT

As there were no other items for consideration by the Board, the meeting adjourned.

William L. Forwood
Urban Conservator

John C. Senhauser
Chairman

Date